

# SENATE RECORD VOTE ANALYSIS

104th Congress  
2nd Session

Vote No. 31

March 13, 1996, 5:48 p.m.  
Page S-1954 Temp. Record

## OMNIBUS APPROPRIATIONS/COPS Program Mandate

**SUBJECT:** **Balanced Budget Downpayment Act, II . . . H.R. 3019. Dole motion to table the Biden amendment No. 3483 to the Hatfield modified substitute amendment No. 3466.**

### ACTION: MOTION TO TABLE AGREED TO, 52-48

**SYNOPSIS:** As introduced, H.R. 3019, the Balanced Budget Downpayment Act, II, will make rescissions and will provide appropriations for fiscal year 1996 for the five regular appropriations bills that have not yet been signed into law (three of those bills have been vetoed, one has been stalled by a Senate Democratic filibuster on its conference report, and one has been stalled by a Senate Democratic filibuster against even beginning its consideration).

The Hatfield modified substitute amendment contains the text of S. 1594, as reported, which is the Senate's version of the bill. The amendment would increase spending by \$1.2 billion over the House-passed amount, and would create a \$4.8 billion contingency fund to accommodate part of the additional \$8 billion in spending requested by President Clinton (funds would not be released unless offsets were identified and enacted; President Clinton did not ask for or identify any means of paying for his increased spending proposals). As amended, the contingency fund was reduced due to increased education spending with offsets (see vote No. 27).

**The Biden amendment** would increase funding for the COPS program to \$1.788 billion. That program provides grants to local communities to pay part of the costs of hiring new police officers on the condition that they stay on the payroll for at least 6 years (the Government pays 75 percent the first year, 50 percent the second year, 25 percent the third year, and 0 percent thereafter). The amendment would strike the \$813 million appropriation in the bill for Local Law Enforcement Assistance (LLEA) grants in order to pay for this increased spending on the COPS program. Local law enforcement agencies have broad discretion to spend LLEA grants on their areas of greatest need. The bill will provide \$1.9 billion for LLEA grants, with \$975 million earmarked for the COPS program.)

Debate was limited by unanimous consent. Following debate, Senator Dole moved to table the Biden amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

(See other side)

YEAS (52)		NAYS (48)		NOT VOTING (0)	
Republicans (52 or 98%)	Democrats (0 or 0%)	Republicans (1 or 2%)	Democrats (47 or 100%)	Republicans (0)	Democrats (0)
Abraham	Helms	Jeffords	Akaka	Inouye	
Ashcroft	Hutchison		Baucus	Johnston	
Bennett	Inhofe		Biden	Kennedy	
Bond	Kassebaum		Bingaman	Kerrey	
Brown	Kempthorne		Boxer	Kerry	
Burns	Kyl		Bradley	Kohl	
Campbell	Lott		Breaux	Lautenberg	
Chafee	Lugar		Bryan	Leahy	
Coats	Mack		Bumpers	Levin	
Cochran	McCain		Byrd	Lieberman	
Cohen	McConnell		Conrad	Mikulski	
Coverdell	Murkowski		Daschle	Moseley-Braun	
Craig	Nickles		Dodd	Moynihan	
D'Amato	Pressler		Dorgan	Murray	
DeWine	Roth		Exon	Nunn	
Dole	Santorum		Feingold	Pell	
Domenici	Shelby		Feinstein	Pryor	
Faircloth	Simpson		Ford	Reid	
Frist	Smith		Glenn	Robb	
Gorton	Snowe		Graham	Rockefeller	
Gramm	Specter		Harkin	Sarbanes	
Grams	Stevens		Heflin	Simon	
Grassley	Thomas		Hollings	Wellstone	
Gregg	Thompson			Wyden	
Hatch	Thurmond				
Hatfield	Warner				

#### EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

**Those favoring** the motion to table contended:

The COPS program is touted by President Clinton as paying for 100,000 more local cops. The President and anyone else who makes that claim is at best being misleading. From the beginning, that program was not designed to pay for that many police. It has always been set up to pay only 25 percent of the acknowledged costs of hiring new police officers. We say "acknowledged" because the Clinton Administration has underestimated the cost of hiring new officers, and thus has used a formula that provides less than 25 percent of the costs. The reality is that the COPS Program only provides enough money over 6 years to pay for 20 percent of the costs of hiring new police officers, and all of that money is provided in the first 3 years. After 6 years, the police can be fired or the local communities can continue paying for them. President Clinton, and Democratic Members, may enjoy getting political mileage out of the claim that the COPS program will pay for 100,000 police, but that claim is demonstrably false.

That matter aside, we note that the main problem with the COPS program is that it is inflexible. For police departments around the country that need to hire extra police, that cannot now afford to hire extra police, and that believe in a few years they will be able to afford new police, the program is great. Police departments that need new cruisers, new equipment, more training, or similar items are out of luck. Similarly, many departments that need more police to handle crime problems but know they will still likely be pressed for funds in a few years do not benefit from this program.

We agree with our colleagues that the crime rate in many jurisdictions is so high that it is advisable for the Federal Government to give financial assistance. However, we do not think it is advisable for the Federal Government to tell local governments how to use that money to fight crime. By specifying exactly how assistance must be spent--to hire new cops--the Federal Government blocks more productive uses of that assistance. Our colleagues tell us that they are certain that there is no more productive use than the hiring of new officers. For our part, we are certain that different law enforcement jurisdictions have different needs that they understand much better than we here in Washington will ever understand. The one-size-fits-all policy of the COPS program clearly does not result in a very good fit for many law enforcement departments.

In providing funding for programs under this bill, our preference would have been to provide no funding for the COPS program and \$1.8 billion in funding for the local law enforcement block grant. Under that block grant program, grant recipients could use funds exactly as required under the COPS program, if they so desired, or they could instead spend the money for training, overtime pay, new equipment, school security measures, crime prevention programs, drug courts, or multijurisdictional task forces. We did not follow our preference in drafting this bill, however--we compromised. We gave half of the available funds to the COPS program and half to the block grant program. Our colleagues, in proposing this amendment, are unwilling to compromise. They are being unreasonable, and their amendment should therefore be tabled.

**Those opposing** the motion to table contended:

We think the main reason our Republican colleagues find the COPS program so objectionable is that it was designed and pushed through Congress by a Democratic Senator (Senator Biden) and has now been embraced by a Democratic President as his program. Nothing else can really explain their opposition. For years, Senator Biden was supported in his efforts by Republican Senators. The main opposition to his idea to put more cops on the streets came from within his own party. Republicans generally favored the idea of getting tougher on crime by hiring more police. Now, though, they complain that this program only provides money up-front, and only a portion of the money. Of course, they knew from the beginning that it only provided seed money, but they did not complain. In fact, we think they would have complained if it had provided permanent funding instead of start-up funds. Certainly we have never heard Republicans say before that we needed to federalize local law enforcement. Local law enforcement is a local issue--help should be temporary.

Instead of giving money to hire police, Republicans in this bill say they want us just to give money in block grants for a variety of purposes, including crime-prevention programs. This request strikes us as quite a change of heart. We remember very clearly being castigated for including money for crime prevention programs in the Crime Bill of the 103d Congress. Now the very same Senators who attacked using money for midnight basketball leagues and the like are proposing giving money to local communities to use for just that type of activities, if they wish.

Our idea for putting more police on the streets did not come from any pet theories of ours. It came from empirical evidence. Study after study has shown that when more police patrol the streets crime rates drop. Again, Republicans are generally more interested in real-life experience than with theories about the way things ought to be, but in this one case they are not interested in the evidence.

When we started this program, we thought that at this point we would have provided funding for the hiring of an additional 25,000 police. We were wrong--33,000 have been hired so far. Further, for those Senators who are worried that police departments may not want to take advantage of this program, we inform them that it has a pretty long waiting list.

The COPS program is succeeding. When it began, there were 525,000 local police in America. When it is done, there will be 625,000. That is a substantial increase that will significantly reduce crime rates across America. We are determined to see this program continue with full funding, and thus strongly oppose the motion to table the Biden amendment.